

09/673133

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-007)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application	09/673,133
		Filing Date	April 12, 1999
		First Named	Lisa E. Myers
		Group Art Unit	not known
		Examiner Name	not known
Total Number of Pages in This Submission	27	Attorney Docket Number	1038-1102 MIS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 50px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael I. Stewart - Reg. No. 24,973
Signature	
Date	April 27, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/673,133
Filing Date	April 12, 1999
First Named Inventor	Lisa E. Myers
Examiner Name	not known
Group Art Unit	not known
Attorney Docket No.	1038-1102

TOTAL AMOUNT OF PAYMENT **\$2,150.00**

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number
- Deposit Account Name
- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR § 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	<input style="width: 50px;" type="text"/>
106	320	206	160	Design filing fee	<input style="width: 50px;" type="text"/>
107	490	207	245	Plant filing fee	<input style="width: 50px;" type="text"/>
108	710	208	355	Reissue filing fee	<input style="width: 50px;" type="text"/>
114	150	214	75	Provisional filing fee	<input style="width: 50px;" type="text"/>
SUBTOTAL (1)					<input style="width: 100px;" type="text"/>

2. EXTRA CLAIM FEES

Total Claims		Extra Claims		Fee from below		Fee Paid	
		-20** =	0	X		=	0.00
Independent Claims		-3** =	0	X		=	0.00
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	<input style="width: 50px;" type="text"/>
102	80	202	40	Independent claims in excess of 3	<input style="width: 50px;" type="text"/>
104	270	204	135	Multiple dependent claim, if not paid	<input style="width: 50px;" type="text"/>
109	80	209	40	** Reissue independent claims over original patent	<input style="width: 50px;" type="text"/>
110	18	210	9	** Reissue claims in excess of 20 and over original patent	<input style="width: 50px;" type="text"/>
SUBTOTAL (2)					\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	<input style="width: 50px;" type="text"/>
139	130	139	130	Non - English specification	<input style="width: 50px;" type="text"/>
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	<input style="width: 50px;" type="text"/>
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	<input style="width: 50px;" type="text"/>
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	<input style="width: 50px;" type="text"/>
115	110	215	55	Extension for reply within first month	<input style="width: 50px;" type="text"/>
116	390	216	195	Extension for reply within second month	<input style="width: 50px;" type="text"/>
117	890	217	445	Extension for reply within third month	<input style="width: 50px;" type="text"/>
118	1,390	218	695	Extension for reply within fourth month	<input style="width: 50px;" type="text"/>
128	1,890	228	945	Extension for reply within fifth month	1,890.00
119	310	219	155	Notice of Appeal	<input style="width: 50px;" type="text"/>
120	310	220	155	Filing a brief in support of an appeal	<input style="width: 50px;" type="text"/>
121	270	221	135	Request for oral hearing	<input style="width: 50px;" type="text"/>
138	1,510	138	1,510	Petition to institute a public use proceeding	<input style="width: 50px;" type="text"/>
140	110	240	55	Petition to revive - unavoidable	<input style="width: 50px;" type="text"/>
141	1,240	241	620	Petition to revive - unintentional	<input style="width: 50px;" type="text"/>
142	1,240	242	620	Utility issue fee (or reissue)	<input style="width: 50px;" type="text"/>
143	440	243	220	Design issue fee	<input style="width: 50px;" type="text"/>
144	600	244	300	Plant issue fee	<input style="width: 50px;" type="text"/>
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	<input style="width: 50px;" type="text"/>
126	180	126	180	Submission of Information Disclosure Statement	<input style="width: 50px;" type="text"/>
581	40	581	40	Recording each patent assignment per property (times number of properties)	<input style="width: 50px;" type="text"/>
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	<input style="width: 50px;" type="text"/>
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	<input style="width: 50px;" type="text"/>
179	710	279	355	Request for Continued Examination (RCE)	<input style="width: 50px;" type="text"/>
169	900	169	900	Request for expedited examination of a design application	<input style="width: 50px;" type="text"/>
Other fee (specify) <input style="width: 150px;" type="text"/>					<input style="width: 50px;" type="text"/>

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$2,150.00**

SUBMITTED BY

Name (Print/Type) Michael I. Stewart

Signature *Michael I. Stewart*

Registration No.
(Attorney/Agent)

24,973

Complete (if applicable)

Telephone (416) 595-1155

Date April 27, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Sim & McBurney

Patent and Trade-mark Agents

330 University Avenue
6th floor
Toronto, Canada
M5G 1R7

Telephone (416) 595-1155
Fax (416) 595-1163

MICHAEL I. STEWART
ROGER T. HUGHES, Q.C.
TONI POLSON ASHTON
JOHN H. WOODLEY
KENNETH D. MCKAY
TIMOTHY M. LOWMAN
STEPHEN M. LANE
ARTHUR B. RENAUD
STEPHEN J. PERRY
PATRICIA A. RAE
DAVID A. RUSTON
L.E. TRENT HORNE
LOLA A. BARTOSZEWICZ
THOMAS T. RIEDER
WARREN J. GALLOWAY
STEVEN L. NEMETZ
GILLIAN M. SMITH
ROBERT C.T. LIANG
URSULA M. McGUINNESS

SENIOR CONSULTANTS
PETER W. MCBURNEY
BRENDA L. BOARDMAN

TECHNICAL ASSISTANTS
KIMBERLY A. MCMANUS, Ph.D.
PETER S. HARRISON, Ph.D.
LESLEY M. MORRISON, B.Sc. MECH.
GEOFFREY B.C. DEKLEINE, M.Sc. (ENG.)

Please Quote

Our ref. 1038-1102 MIS:sd

Your ref.

Writer's Ext. 239

April 27, 2001

BY COURIER

The Commissioner of Patents
and Trademarks,
BOX MISSING PARTS,
Washington, D.C. 20231,
U. S. A.

Dear Sir:

Re: United States Patent Application 09/673,133
pursuant to PCT/CA99/00307
Applicant: Lisa E. Myers et al.
Filed: April 12, 1999
Title: TRANSFERRIN RECEPTOR GENES OF
MORAXELLA

In response to the Notification of Missing Requirements dated October 31,
2000, submitted herewith are:

1. Declaration and Power of Attorney document executed by all inventors except for Run-Pan Du;
2. Declaration and Power of Attorney document executed by the remaining inventors on behalf of Run-Pan Du;
3. Petition under 37 CFR 1.47(a) with respect to inventor Run-Pan Du;
4. Cheque in the amount of the surcharge fee, extension fee and petition fee; and

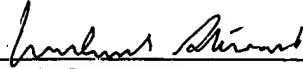
5. ~~1890.00~~ ^{130.00} ~~OP~~ ^{OP} copy of the notification.

05/02/2001 LLANDGRA 00000029 09673133

01 FC:154
02 FC:128

Petition is hereby made under the provisions of 37 CFR 1.136(a) for an extension of five months of the period for response to the notice. The prescribed fee is included in the enclosed cheque. It is submitted that the requirements of the notification have been met.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael I. Stewart", is written over a horizontal line.

Michael I. Stewart

Reg. No. 24,973

M.I. Stewart:sd
Encl.



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/673133	MYERS	L 1038-1102 MI

MICHEAL I. STEWART
SIM & MCBURNEY
330 UNIVERSITY AVENUE
6TH FLOOR
TORONTO, ONTARIO
CAN, M5G 1R7

INTERNATIONAL APPLICATION NO.

PCT/CA99/00307

I.A. FILING DATE

PRIORITY DATE

12 APR 99

14 APR 98

DATE MAILED:

11 OCT 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 11 OCT 2000 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/ 1-995 (December 1997)

Winston M. Alvarado

Telephone: 703-305-6421